# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST LITIGATION

This Document Relates To: *ALL ACTIONS* 

Case No. 18-cv-01776 (JRT-HB)

DEFENDANTS' NOTICE OF MOTION FOR PROTECTIVE ORDER CONCERNING EX PARTE LAWYER COMMUNICATIONS

PLEASE TAKE NOTICE that on November 19, 2019, beginning at 10:00 a.m. before the Honorable Hildy Bowbeer, United States Courthouse, 632 Federal Building, Courtroom 6B, 316 N. Robert Street, St. Paul, Minnesota, Defendants will move the Court for a protective order.

This motion is based upon the memorandum of law and accompanying evidence filed pursuant to Local Rule 7.1, any further evidence and argument to be presented at or before the hearing, and all of the files, records and proceedings herein. The grounds for the motion are stated with particularity in the memorandum of law.

Dated: October 14, 2019 Respectfully submitted,

## /s/ Daniel E. Laytin, P.C.

Mark L. Johnson (#0345520) Virginia R. McCalmont (#0399496) GREENE ESPEL PLLP 222 South Ninth Street, Suite 2200 Minneapolis, MN 55402 (612) 373-0830 mjohnson@greeneespel.com vmccalmont@greeneespel.com

Daniel E. Laytin, P.C. (pro hac vice)
Christa C. Cottrell, P.C. (pro hac vice)
Christina L. Briesacher (pro hac vice)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
312-862-2000
dlaytin@kirkland.com
ccottrell@kirkland.com
christina.briesacher@kirkland.com

Attorneys for Clemens Food Group, LLC and the Clemens Family Corporation

# /s/ Peter H. Walsh

Peter H. Walsh (# 388672) HOGAN LOVELLS US LLP 80 South Eighth Street, Suite 1225 Minneapolis, MN 55402 T. (612) 402-3000 F. (612) 402-3001 peter.walsh@hoganlovells.com

William L. Monts (pro hac vice)
Justin W. Bernick (pro hac vice)
Jennifer A. Fleury (pro hac vice)
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, D.C. 20004
(202) 637-5600
william.monts@hoganlovells.com
justin.bernick@hoganlovells.com
jennifer.fleury@hoganlovells.com

Counsel for Agri Stats, Inc.

### /s/ Richard A. Duncan

Richard A. Duncan (#0192983) Aaron D. Van Oort (#0315539) Craig S. Coleman (#0325491) Emily E. Chow (#0388239) Isaac B. Hall (#0395398) Bryan K. Washburn (#0397733) FAEGRE BAKER DANIELS LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901 (612) 766-7000 richard.duncan@faegrebd.com aaron.vanoort@faegrebd.com craig.coleman@faegrebd.com emily.chow@faegrebd.com isaac.hall@faegrebd.com bryan.washburn@faegrebd.com

Counsel for Hormel Foods Corporation and Hormel Foods, LLC

## /s/ Jaime Stilson

Jaime Stilson (#392913) DORSEY & WHITNEY LLP 50 South Sixth Street, Suite 1500 Minneapolis, MN 55402-1498 (612) 492-6746 stilson.jaime@dorsey.com

Britt M. Miller (pro hac vice)
Robert E. Entwisle (pro hac vice)
MAYER BROWN LLP
71 South Wacker Drive
Chicago, IL 60606-4637
(312) 782-0600
bmiller@mayerbrown.com
rentwisle@mayerbrown.com

William H. Stallings (pro hac vice) MAYER BROWN LLP 1999 K Street, N.W. Washington, D.C. 20006-1101 (202) 263-3000 wstallings@mayerbrown.com

Counsel for Indiana Packers Corporation and Mitsubishi Corporation (Americas)

#### /s/ Donald G. Heeman

Donald G. Heeman (#286023)
Jessica J. Nelson (#347358)
Randi J. Winter (#391354)
Daniel R. Haller (#396497)
FELHABER LARSON
220 South Sixth Street, Suite 2200
Minneapolis, MN 55402-4504
(612) 339-6321
dheeman@felhaber.com
jnelson@felhaber.com
dhaller@felhaber.com

Stephen R. Neuwirth (pro hac vice)
Michael B. Carlinsky pro hac vice)
Sami H. Rashid (pro hac vice)
Richard T. Vagas (pro hac vice)
Robert P. Vance, Jr. (pro hac vice)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
(212) 849-7000

stephenneuwirth@quinnemanuel.com michaelcarlinsky@quinnemanuel.com samirashid@quinnemanuel.com richardvagas@quinnemanuel.com bobbyvance@quinnemanuel.com

Counsel for JBS USA Food Company and JBS USA Food Company Holdings

## /s/ William L. Greene

William L. Greene (#0198730)
Peter J. Schwingler (#0388909)
Jon M. Woodruff (#0399453)
STINSON LEONARD STREET LLP
50 South Sixth Street, Suite 2600
Minneapolis, MN 55402
(612) 335-1500
william.greene@stinson.com
peter.schwingler@stinson.com
john.woodruff@stinson.com

J. Nicci Warr (pro hac vice) STINSON LEONARD STREET LLP 7700 Forsyth Blvd., Suite 1100 St. Louis, MO 63105 (314) 863-0800 nicci.warr@stinson.com

Counsel for Seaboard Foods, LLC and Seaboard Corporation

## /s/ John A. Cotter

John A. Cotter (134296)
John A. Kvinge (0392303)
LARKIN HOFFMAN DALY &
LINDGREN LTD.
8300 Norman Center Drive, Suite 1000
Minneapolis, MN 55427-1060
(952) 835-3800
jcotter@larkinhoffman.com
jkvinge@larkinhoffman.com

Richard Parker (pro hac vice)
Josh Lipton (pro hac vice)
GIBSON, DUNN & CRUTCHER, LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
(202) 955-8500
rparker@gibsondunn.com
jlipton@gibsondunn.com

Brian Robison (*pro hac vice*) GIBSON, DUNN & CRUTCHER, LLP 2100 McKinney Avenue, Suite 1100 Dallas, TX 75201-6912 (214) 698-3370 brobison@gibsondunn.com

Counsel for Smithfield Foods, Inc.

# /s/ Aaron Chapin

Aaron Chapin (#6292540) HUSCH BLACKWELL LLP 120 South Riverside Plaza, Suite 2200 Chicago, IL 60606 (312) 655-1500 aaron.chapin@huschblackwell.com

Gene Summerlin (pro hac vice) Marnie Jensen (pro hac vice) Ryann Glenn (pro hac vice) Kamron Hasan (pro hac vice) Quinn Eaton (pro hac vice) Sierra Faler (pro hac vice) HUSCH BLACKWELL LLP 13330 California St., Suite 200 Omaha, NE 68154 (402) 964-5000 gene.summerlin@huschblackwell.com marnie.jensen@huschblackwell.com ryann.glenn@huschblackwell.com kamron.hasan@huschblackwell.com quinn.eaton@huschblackwell.com sierra.faler@huschblackwell.com

Counsel for Triumph Foods, LLC

# /s/ David P. Graham

David P. Graham (#0185462) DYKEMA GOSSETT PLLC 4000 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402 (612) 486-1521 dgraham@dykema.com

Rachel J. Adcox (pro hac vice)
Tiffany Rider Rohrbaugh (pro hac vice)
AXINN, VELTROP &
HARKRIDER LLP
950 F Street, N.W.
Washington, D.C. 20004
(202) 912-4700
radcox@axinn.com
trider@axinn.com

Counsel for Tyson Foods, Inc., Tyson Prepared Foods, Inc. and Tyson Fresh Meats, Inc.